

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GUMERCINDO ROMERO JR.,)
vs. Plaintiff,) NO. CIV-16-0581-HE
HECTOR RIOS, *et al.*,)
Defendants.)

ORDER

Plaintiff, a state prisoner appearing *pro se*, filed this action under 42 U.S.C. § 1983 asserting violations of his constitutional rights. This matter was referred to U.S. Magistrate Judge Shon T. Erwin for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B). On February 6, 2017, Judge Erwin ordered plaintiff to furnish documents necessary for service of process on defendant Sergeant Hill within twenty days of the order. Doc. #15. Plaintiff has not done so. On March 8, 2017, Judge Erwin recommended this action be dismissed for failure to comply with the court's order. The Report and Recommendation advised plaintiff that he must file any objection by March 27, 2017. Plaintiff has not filed an objection, or responded in any way to any of the court's orders since February 6.

Plaintiff has therefore waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010). Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #16]. This case is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Dated this 24th day of April, 2017.



Joe Heaton
CHIEF U.S. DISTRICT JUDGE